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C O N F I D E N T I A L SECTION 01 OF 03 HONG KONG 004666

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DEPT FOR EAP AND EAP/CM  
NSC FOR WILDER

E.O. 12958: DECL: 12/06/2031  
TAGS: [PGOV](#) [PHUM](#) [PINR](#) [PREL](#) [HK](#) [CH](#)  
SUBJECT: UNOFFICIAL MARCH 25 REFERENDUM TO ASSESS VIEWS ON  
CHIEF EXECUTIVE ELECTION AND UNIVERSAL SUFFRAGE

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Classified By: E/P Chief Laurent Charbonnet. Reasons: 1.4 (b,d)

¶1. (C) Summary: Former legislator Cyd Ho, Co-Convenor of "Project Civil Referendum", recently discussed her plans for a large-scale unofficial referendum in Hong Kong on March 25, 2007 -- the same day as the Chief Executive (CE) election by the 800-member CE Election Committee. Ho and the other organizers hope to attract public participation in their privately-sponsored, non-binding referendum on several key issues, including the city's next CE, universal suffrage, and minimum wage legislation. Ho is still working to line up enough polling stations and funding for the referendum, but is hopeful that it ultimately will give the Hong Kong public an otherwise unavailable opportunity to voice its opinion on the CE election. Criticism of the referendum from the Government and Beijing thus far has been low-key, and Ho hopes that this tolerance will enable Project Civil Referendum to organize other referendums in the future. Ho was not concerned that some referendum voters might select Donald Tsang as their preferred CE candidate over Alan Leong; even if that occurred, the referendum mechanism would promote greater public participation in a democratic exercise. End Summary.

Let's Ask the People  
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¶2. (C) Cyd Ho, Co-Convenor of Project Civil Referendum, discussed with poloffs her work to organize a large-scale unofficial referendum on March 25, 2007 -- the same day as the Chief Executive (CE) election. Going beyond the 800-member CE Election Committee (septels), Ho and the other referendum organizers hope to attract large-scale public participation in their privately-sponsored, non-binding referendum on a variety of political and economic issues including: 1) Who do you support as the next CE? (And in case there is only one CE candidate, voters will be asked to cast a vote of confidence on the sole standing candidate); 2) Do you support the introduction of universal suffrage for the CE election in 2012?; 3) Do you support enactment of minimum wage legislation?; and 4) Do you support a goods and services tax (GST)? (Note: This last question will likely be scrapped. On December 5, Financial Secretary Henry Tang abruptly announced that the Government had shelved the GST proposal due to lack of public support. End Note.)

¶3. (C) The referendum will be open to all permanent residents over the age of 18 and will be conducted at volunteer polling stations scattered throughout the city. Ho said the

organizers hoped to line up 40 polling stations, which will be open from 10:00 am to 6:00 pm, but thus far had only secured agreement from 16 secondary schools. Pro-Beijing schools, she noted, had declined her invitation to serve as polling stations, but Ho hoped Hong Kong Cardinal Joseph Zen might consider hosting polling stations in Catholic secondary schools. Other site possibilities included social service centers, labor union facilities, and universities. (Note: By comparison, for the 2004 Legco election the HKG established 501 polling stations. End Note.) Ho told us that she hoped at least 200,000 people would participate in the referendum.

14. (C) Ho said three international observers from the Initiative and Referendum Institute (IRI) had agreed to monitor the entire polling process. On the funding side, organizers have raised HKD 420,000 (USD 54,000) through individual donations collected on the street, well short of the estimated HKD 1.6 million (USD 200,000) needed to run the referendum.

15. (C) Asked why she wanted to organize a referendum as opposed to a public opinion poll, Ho explained that polls were a passive form of interacting with the people, with pollsters questioning random individuals. Referendums, on the other hand, required active participation in a political exercise. The referendum would give citizens an opportunity to voice their opinion on the CE election, rather than passively accept the results of the 800-member CE Election Committee.

#### HKG and Beijing Reaction

16. (C) Responding to Project Civil Referendum's announcement of its unofficial referendum, a Hong Kong Government Constitutional Affairs Bureau spokesperson said on November 13 that local laws did not provide a mechanism for an unofficial referendum. However, "if individuals or

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organizations wish to gauge public views on certain issues, it would be up to them to decide on the means as long as these activities are within the law." Ho privately acknowledged that there had been some pressure from Beijing regarding the referendum, but said the mainland authorities thus far had been very low-key in their criticisms. She was somewhat surprised that the pro-Beijing media had not "smeared" the project already.

17. (C) In the recent past, other referendum proposals have encountered more resistance. For example, in October 2004 Fernando Cheung, a democratic legislator representing the social welfare sector, put forward a motion in the Legislative Council (Legco) calling on the HKG to conduct a referendum on the introduction of universal suffrage for the 2007/2008 CE and Legco elections. The HKG quickly rejected Cheung's proposal and Director Gao Siren of the Central Government Liaison Office (CGLLO) said that conducting a referendum would be seen as a political challenge to China. The next attempt at hosting a referendum was during the July 1, 2005 pro-democracy march; the Civil Human Rights Front hosted a "mock" referendum on the issue of universal suffrage in 2007/2008 at Victoria Park, the starting point of the democracy march, and collected over 7,700 votes. Unfortunately, the results of the "mock" referendum were not considered objective since the majority of voters were clearly pro-democracy supporters. Later, during an October 2005 CE Question and Answer session in Legco, two democratic legislators asked CE Donald Tsang about the possibility of holding a referendum on the Government's constitutional reform package; he responded that it would be "inappropriate" to do so.

18. (C) In the interest of fairness, Ho sent letters to all groups and organizations that might have an interest in the results of the referendum, including trade unions, business

groups, and other organizations interested in GST, minimum wage, and democracy issues. Ho said she was committed to encouraging broad participation in the referendum, but did not expect any pro-Beijing groups to participate. Privately, Chan Yuen-han, a pro-Government legislator and member of the Hong Kong Federation of Trade Unions (a pro-Beijing trade union), told Ho that if the referendum only addressed the minimum wage and GST issues, then Chan would support it and perhaps even help mobilize voters. Since the unofficial referendum included questions on universal suffrage and the CE election, however, Chan said she could not support it.

#### A Democratic Exercise

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¶9. (C) Project Civil Referendum had both supporters and detractors among democrats, said Ho. Some were lukewarm on the idea and concerned that the referendum results might even harm Alan Leong's CE candidacy, if voters chose Donald Tsang as their preferred CE candidate. Ho said she also had to consider the possibility that Leong might not garner the 100 nominations necessary to stand in the election, in which case the referendum voters would be casting a vote of confidence on Tsang's election. Because some critics were unhappy with the timing of the referendum, Ho had considered holding it prior to the CE election, but had decided that she might be accused by Beijing and the HKG of trying to influence the CE election.

¶10. (C) Ho said she was relying on democratic colleagues to mobilize pro-democracy supporters to participate, but she was less concerned about the actual outcome of the referendum. Even if Tsang turned out to be the sole CE candidate and received a high vote of confidence from referendum voters, that would be "okay," because the unofficial referendum would serve to get people involved and participating in a democratic exercise.

¶11. (C) Ho hoped the March referendum would be the first of many such exercises in Hong Kong, and she hoped to persuade the Government to host a referendum on various policy issues in conjunction with the November 2007 district council elections. She speculated that the HKG would eventually have to propose Article 23 national security legislation, which the public had strongly rejected in 2003, and she opined that holding a referendum might be a useful means for opponents of the legislation to push back. Depending on the success of the March referendum, Ho said she also would consider holding a referendum next year on the issue of political reform in ¶2012. (Comment: All of these ideas are clearly wishful thinking. The HKG has made clear that it would not endorse

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or support any formal use of official referenda to gauge public opinion. Furthermore, any referendum on political reform almost certainly would be strongly criticized by Beijing, as well. End Comment.)

#### Alan Leong's Campaign

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¶12. (C) Ho said she generally agreed with the democrats' strategy to put forward a pan-democratic candidate to participate in the CE election. Boycotting the election would not have achieved much. There was, however, a risk that by participating, the democrats would help legitimize the inherently unfair "small circle" election process. Ho was not certain that Leong would get the 100 nominations he needed to contest the election, but she hoped he would "strike the right message" to the people during his campaign.

It was a mistake, in Ho's view, for Leong and the democrats to focus on the lack of competition in the CE race as a reason for CE election members to vote for Leong; it would be more effective to focus on these structural defects of Hong Kong's "undemocratic" electoral system.

## Biographic Information

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¶13. (C) In addition to her role as Co-Convenor of Project Civil Referendum, Ho is also the Chairwoman of the Hong Kong Human Rights Monitor, a district councilor representing the Central and Western districts, and a frequent media contributor on political and social issues. From 1998-2004, she was a popular Legco member known for her advocacy of environmental protection, human rights and democracy. In 2004, running as an independent democrat during the Legco election, Ho surprisingly failed to win due to a strategic electoral miscalculation by Democratic Party leaders. Ho said she did not plan to seek re-election in the district council elections next year, but would contest the 2008 Legislative Council election. She cited the financial burden of operating her district council office as one reason for her decision to forego reelection.

Sakaue